

MINUTES OF BENTON COUNTY QUORUM COURT

February 28, 2013

A regular meeting of the Benton County Quorum Court was held on Thursday, February 28, 2013 at 6:00 p.m. at the Benton County Administration Building, 215 East Central Avenue, Bentonville, Arkansas, pursuant to proper call and notice.

County Judge Bob Clinard introduced Rey Hernandez, the newly appointed District 2 Justice of the Peace.

Deputy Clerk Janet Reaves called roll as follows:

15 JPs Present: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Blaty, Curry, Carr, Moore, Meyers, Moehring

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. Gary Jackson led the prayer.

CHANGES TO THE AGENDA:

County Judge Bob Clinard stated that during public comments Circuit Judge John Comstock, Circuit Judge Brad Karren and Eugene Lee, M.D. will talk about Mental Health Court that will be coming to Benton County.

MINUTES:

JP J. Harrison made motion to approve the minutes of the January 24, 2013 Quorum Court Meeting as distributed, seconded by JP Carr.

Motion passed by unanimous show of hands vote.

Minutes approved.

ELECTED OFFICIALS REPORTS:

County Judge Bob Clinard recognized Mayor Bill Edwards of Centerton, who was in attendance.

COUNTY JUDGE'S REPORT:

County Judge Bob Clinard reported that: 1) they are continuing to work through a permanent solution to the EMS service in Benton County; 2) he is continuing to explore possibilities for a new and modern court facility; 3) they are formulating plans to consider accelerating the road improvements with funds from the statewide 1/2¢ sales tax; 4) the Arkansas Assembly convened on January 14, 2013 and that our Legislative Committee should monitor the progress closely so we will know when and whom to contact concerning issues; 5) confirmation has been received from Arkansas Regional Planning

Commission that funding for the Fisher Ford Bridge for \$1.2 million has been approved; 6) Northeast "A" Street on the West side of the county courthouse will become a two-way street on March 6, 2013; County Judge Bob Clinard reported that the County Property Disposal Report states that a 2006 Pick-up and 3 Fuel Tanks that are not in working condition have been disposed of.

COMMITTEE REPORTS:

JP Patrick Carr reported that the Public Safety Committee met February 27, 2013 and that the discussion on funding the Constables was tabled, until the committee had more information. He stated that the committee forwarded the Apportioning Act 833 Funds resolution request to the March 12, 2013 Committee of the Whole, and that lengthy discussion was held by the Public Safety Committee on the Emergency Management Services situation.

JP Allen reported that the Finance Committee met and forwarded all resolution and appropriation ordinance requests to the February 12, 2013, Committee of the Whole.

JP Allen reported that the Legislative Committee met and reviewed chapter five of the Blue Book for the Planning Board. He stated that Chapter 6 will be reviewed at the next Legislative Committee meeting, and encouraged the committee to do their homework.

Human Resources Manager Barbara Ludwig stated that the Personnel Committee will meet Thursday, March 7, 2013 at 6:00 p.m.

PUBLIC COMMENTS:

Environmental Program Coordinator Teresa Sidwell reported that the Benton County Cleanup will be held Saturday, April 20, 2013 from 8:00 a.m. to 12:00 p.m. She reported that they optimize every square foot of available space at the road yard in order to improve every successive cleanup, and that they are able to generate some revenue to reduce the cost of the program through sales of metals and batteries. She added that other ways they reduce costs of the cleanup is by competitive bidding for services, grant awards, and finding alternative ways to dispose of or reuse products. Teresa Sidwell stated that new services offered at the upcoming cleanup will be recycling of foam packaging, a rain barrel educational display, E-waste recycling advertisements on TV, and billboards and a volunteer training video. She stated that Habitat for Humanity will be there accepting good conditioned items. Teresa Sidwell encouraged the court to lend their support to the event, and to encourage other officials to lend their support.

County Judge Bob Clinard stated that volunteers are needed to help with the Benton County Clean up.

Circuit Judge Brad Karren stated that former Circuit Judge Jon Comstock is working with a group promoting a mental health court for the county, to be run in a manner similar to drug court. Circuit Judge Brad Karren stated that the group is working with the county to apply for grant money. County Judge Bob Clinard stated that the grant is for money to determine how to do the mental health program. He stated that a second part of the mental health court is to provide a place to house the mental health patients once they go to jail and separate them from the general population. Circuit Judge Brad Karren introduced Dr. Eugene Lee, and stated that Dr. Lee's background is in general and forensic psychiatry.

Dr. Lee stated that the court would help to remove people with mental disorders such as schizophrenia and bipolar disorder from the normal criminal justice system, and get them into a program where they

can be diagnosed and treated. Dr. Lee stated that a task force of approximately 75 people meets once a month, and that they are divided into working groups, one of which is led by Circuit Judge John Comstock.

OLD BUSINESS

None

JP J. Harrison made motion to suspend the rules and read all ordinances and resolutions by title only, seconded by JP Carr.

Motion passed by unanimous voice vote.

NEW BUSINESS

- (A) Proposed Resolution Request Amending Resolution 2013-01 Related to Authorizing the Application for a Grant and Participation in FY 2013 Drug Court Enhancement Grant Program Available Through the U.S. Department of Justice; Sponsor: JP Joel Jones.

County Attorney George Spence read the proposed resolution by title only.

JP Jones made motion to adopt, seconded by JP Curry.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas:	McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Curry, Carr, Moore, Meyers, Moehring
1 Absent:	Blaty

Resolution duly adopted and assigned **No. R-2013-04.**

- (B) Proposed Resolution Authorizing the Application for a Grant and Acceptance Of Funds Granted Through the State of Arkansas County Voting System Grant; Sponsor JP Joel Jones.

County Attorney George Spence read the proposed resolution by title only.

JP Jones made motion to adopt, seconded by JP Carr.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas:	McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Curry, Carr, Moore, Meyers, Moehring
1 Absent:	Blaty

Resolution duly adopted and assigned **No. R-2013-05.**

- (C) Proposed Resolution Granting a Waiver of the Policy as Established in Sec.2-534 of *The Code of Ordinances of Benton County* Regarding Payments within the Salary Range for Various Positions in Various Departments; Sponsor: JP Shirley Sandlin.

County Attorney George Spence read the proposed resolution by title only.

JP Sandlin made motion to adopt, seconded by JP Jones.

JP Jones made motion to amend Item “C” as noted in the proposed amendment to make changes in the pay rates for the two “Major” positions in Department 05-Sheriff retroactive to January 1, 2013, seconded by JP Carr.

JP Allen stated that the money is in the 2013 budget.

Motion passed by unanimous voice vote.

There being no further discussion, a roll call vote was recorded as follows:

14 Yeas: McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Blaty

Resolution duly adopted and assigned **No. R-2013-06.**

- (D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012- 67 (**2013** Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items, Dept. 30, Emergency Services, Fund 315; Sponsor: JP Jay Harrison

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP J. Harrison made motion to adopt, seconded by JP Jones.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Blaty

Appropriation Ordinance duly adopted and assigned **No. O-2013-09.**

- (E) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (**2013** Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items, Dept 30, Emergency Services, Fund 316;

Sponsor: JP Joel Jones.

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Curry, Carr, Moore, Meyers, Moehring

1 Absent: Blaty

Appropriation Ordinance duly adopted and assigned **No. O-2013-10.**

- (F) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (**2013** Benton County Budget) To Amend *Schedule I - Revenues by Fund* to Increase Revenues in “BC Internet Crimes Against Children Grant”, Fund 325, Department 05, and to Appropriate Additional Monies and Authorize Additional Expenditures Therein; Sponsor: JP Jay Harrison.

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP J. Harrison made motion to adopt, seconded by JP Carr.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Curry, Carr, Moore, Meyers, Moehring

1 Absent: Blaty

Appropriation Ordinance duly adopted and assigned **No. O-2013-11.**

- (G) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (**2013** Benton County Budget) to Create a New Fund to be Named “Department of Human Services Division of Youth Services – Title II Grant Fund” and Numbered No. 477 in Department 20, Juvenile Probation; to Amend *Schedule I – Revenues by Fund* to Reflect an Increase in Revenues, and to Appropriate Additional Monies and Authorize Additional Expenditures Therein; Sponsor: JP Barry Moehring.

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Moehring made motion to adopt, seconded by JP Jones.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: McKenzie, Hernandez J. Harrison. Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Blaty

Appropriation Ordinance duly adopted and assigned **No. O-2013-12.**

- (H) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (**2013** Benton County Budget) to Create a New Fund to be Named “Arkansas Department of Environmental Quality E-Waste Grant Fund” and Numbered No. 317 in Department 38, Environmental Services; to Amend *Schedule 1-Revenues by Fund* to Reflect the Increase in Revenues, and to Appropriate Additional Monies and Authorize Additional Expenditures Therein; Sponsor JP: Michelle Blaty

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams,
Jones, Sandlin, Anglin, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Blaty

Appropriation Ordinance duly adopted and assigned **No. O-2013-13.**

- (I) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (**2013** Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 23, Non-Departmental/ Maintenance, Fund 010; Sponsor: JP Steve Curry

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Curry made motion to adopt, seconded by JP J. Harrison.

There being no further discussion, a roll call vote was recorded as follows:

15 Yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Blaty, Curry, Carr, Moore, Meyers, Moehring

Appropriation Ordinance duly adopted and assigned **No. O-2013-14.**

- (J) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (2013 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 44, Road Department, Fund 020; Sponsor: JP Barry Moehring

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Moehring made motion to adopt, seconded by JP McKenzie.

JP Allen stated this is part of the unappropriated funds and not out of the budget.

There being no discussion, a roll call vote was recorded as follows:

15 Yeas: McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Blaty, Curry, Carr, Moore, Meyers, Moehring

Appropriation Ordinance duly adopted and assigned **No. O-2013-15.**

- (K) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (2013 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 67, Jail, Fund 931; Sponsor: JP Joel Jones

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones made motion to adopt, seconded by JP Blaty.

There being no discussion, a roll call vote was recorded as follows:

15 Yeas: McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Blaty, Curry, Carr, Moore, Meyers, Moehring

Appropriation Ordinance duly adopted and assigned **No. O-2013-16.**

- (L) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (**2013** Benton County Budget) to Create a Line Item to be Named "Reimburse Drug Screening", and Numbered No. 8626 in Department 64, Fund 460, Circuit Court, Division III to Amend *Schedule 1-Revenues by Fund* to Reflect the Increase in Revenues, and to appropriate Additional Monies and Authorize Additional Expenditures Therein; Sponsor: JP Jay Harrison

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP J. Harrison made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

15 Yeas: McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Blaty, Curry, Carr, Moore, Meyers, Moehring

Appropriation Ordinance duly adopted and assigned **No. O-2013-17.**

- (M) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (2013 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 45, Road Department Bridge Projects, Fund 440; Sponsor: JP Joel Jones

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones made motion to adopt, seconded by JP J. Harrison.

There being no discussion, a roll call vote was recorded as follows:

15 Yeas: McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Blaty, Curry, Carr, Moore, Meyers, Moehring

Appropriation Ordinance duly adopted and assigned **No. O-2013-18.**

- (N) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (**2013** Benton County Budget) to Amend Schedule 4 Personnel and Compensation Authorization as Amended by Adding Positions, Deleting Positions, Changing Grades, and Changing Job Titles in Various Funds and Departments; Sponsor: JP Shirley Sandlin

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Sandlin made motion to adopt, seconded by JP Jones.

There being no discussion, a roll call vote was recorded as follows:

15 Yeas: McKenzie, Hernandez, J. Harrison. Allen, K. Harrison, Adams, Jones, Sandlin, Anglin, Blaty, Curry, Carr, Moore, Meyers, Moehring

Appropriation Ordinance duly adopted and assigned **No. O-2013-19.**

- (O) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (**2013** Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items, Appropriating Additional Monies and Authorizing Additional Expenditures in Various Funds and Departments and to

Amend *Schedule 1 – Revenues by Fund* in the 2013 Benton County Budget;
Sponsor: JP Shirley Sandlin

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Sandlin made motion to adopt, seconded by JP Jones.

There being no discussion, a roll call vote was recorded as follows:

15 Yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Jones,
Sandlin, Anglin, Blaty, Curry, Carr, Moore, Meyers, Moehring

Appropriation Ordinance duly adopted and assigned **No. O-2013-20**.

OTHER BUSINESS:

None

ANNOUNCEMENTS:

JP Allen announced that a Legislative Committee meeting will be held on Monday, March 4, 2013 at 6:00 p.m.

JP Allen announced that a Finance Committee meeting will be held on Tuesday, March 5, 2013 at 6:00 p.m.

JP Sandlin announced that a Personnel Committee meeting will be held on Thursday, March 7, 2013 at 6:00 p.m.

JP Carr announced that a Public Safety Committee meeting will be held on Thursday, March 21, 2013 at 6:00 p.m.

JP Anglin asked that a discussion item about reorganizing the committee system be placed on the March 12, Committee of the Whole agenda. She stated that she has received information from the Association of Arkansas Counties (AAC), and that she wanted to discuss some proposed changes. She said that the changes included eliminating the Committee of the Whole, and streamlining the committee process to shorten meetings, and to perhaps maybe have more than one committee meeting a day.

JP Moore stated that the Quorum Court has changed its structure during his time on the court, shifting from having two monthly meetings of the Committee of 13 and two monthly meetings of the Quorum Court. He stated that he thinks that things are running pretty smoothly now, and he is concerned about tampering with them again, but is always willing to have a discussion on it.

JP Allen stated that he remembers the Committee of 13 and Quorum Court meetings being held twice a month, and that it was hard to get everything ready for the meetings, but that he is open to discussion.

County Judge Bob Clinard asked for a show of hands vote to place the discussion on the March 12, 2013 Committee of the Whole agenda.

Motion passed by unanimous show of hands vote.

Discussion was held on placing JP Anglin's request for discussion about reorganizing the committee system on the March 12, 2013 Committee of the Whole agenda.

ADJOURNMENT:

There being no further business to come before the court, upon motion and second the meeting adjourned at 7:03 p.m.

Respectfully submitted,

Tena O'Brien
County Clerk

Prepared by: Janet Reaves